

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

MARTIN RESOURCE MANAGEMENT  
CORPORATION,

Plaintiff,

V.

ZURICH AMERICAN INSURANCE  
COMPANY, AXIS INSURANCE  
COMPANY, and ARCH INSURANCE  
COMPANY,

Defendants.

Civil Action No. 6:12-cv-00758

# JURY DEMANDED

**MARTIN RESOURCE MANAGEMENT CORPORATION  
AND ZURICH AMERICAN INSURANCE COMPANY'S  
JOINT MOTION TO DISMISS WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41, Plaintiff/Counter-Defendant Martin Resource Management Corporation (“MRMC”) and Defendant/Counter-Plaintiff Zurich American Insurance Company (“Zurich”) file this joint motion to dismiss with prejudice and respectfully show as follows:

MRMC and Zurich have resolved their differences and therefore request that any and all claims and counter-claims they have asserted against each other be dismissed with prejudice.

This motion does not affect MRMC's claims against any other defendant.

WHEREFORE, MRMC and Zurich respectfully request that the Court grant this motion and dismiss any and all claims and counter-claims they have asserted against each other.

Dated: January 23, 2014

Respectfully submitted,

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/s/ David W. Jones

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AMERICAN INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that on January 23, 2014, I electronically filed the foregoing with the Clerk of the Court for the U.S. District Court, Eastern District of Texas, using the ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ David W. Jones

David W. Jones